

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 1 Intercounty Transfer Changes in the CalWORKs Program

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held February 10, 2010, as follows:

February 10, 2010
Office Building # 8
744 P St., Room #105
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on February 10, 2010.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Office of Regulations Development
California Department of Social Services
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CHAPTERS

California Department of Social Services, Manual of Policies and Procedures, Eligibility and Assistance Standards, Division 40 (Reception and Application), Chapter 40-100 (General), Section 40-188 (Transfer Procedure).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California Work Opportunity and Responsibility to Kids (CalWORKs) Program requires County Welfare Departments (CWDs) to initiate an Intercounty Transfer (ICT) of a case when an eligible family moves from one county to another within California. ICTs are intended to ensure a seamless transition of aid from one county to another in which the family's benefits are not interrupted. CalWORKs regulations require that the family attend a face-to-face interview in the second county in order for that county to ensure that the family continues to remain eligible for benefits.

Under existing regulations, the second county in an ICT process redetermines the eligibility of the transferring family, because the family's circumstances have changed as a result of relocation. The process is similar to the annual redetermination process. And, although the ICT process requires that the receiving county conduct a face-to-face interview with the family and review their completed application, the CWD does not treat the family as an applicant family.

These proposed regulations will exempt non-needy caretaker relatives who are receiving CalWORKs program benefits on behalf of a child who is a dependent of the court from the requirement of a face-to-face interview in their new county of residence when the family moves from one county to another. These proposed regulations will also require CWDs to verify that the relative has been appropriately approved to care for the child, and is not receiving CalWORKs benefits for him or herself.

COST ESTIMATE

1. Costs or Savings to State Agencies: No additional costs or savings because this regulation makes only technical, nonsubstantive or clarifying changes to current laws and regulations.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500 - 17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No additional costs or savings because this regulation makes only technical, nonsubstantive or clarifying changes to current laws and regulations.
4. Federal Funding to State Agencies: No additional costs or savings because this regulation makes only technical, nonsubstantive or clarifying changes to current laws and regulations.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. No reimbursement is required by this regulation pursuant to Section 6 of Article XIII B of the California Constitution because this regulation provides for offsetting savings to local agencies or school districts that result in no net cost to the local agencies or school districts, within the meaning of Section 17556 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553 and 10554, Welfare and Institutions Code. Subject regulations implement and make specific Section 11052.6, Welfare and Institutions Code.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

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